

03-18.05

DOCKET NO.: CS90041  
2644  
2005
**TRANSMITTAL  
FORM**

		Application Number	09/972,381
		Filing Date	10/05/01
		First Named Inventor	Fahey, Jenifer et al.
		Group Art Unit	2644
		Examiner Name	
Total Number of Pages in this Submission	4	Attorney Docket Number	CS90041

**ENCLOSURES**

(check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-Related papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/Declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter with appropriate copies
<input type="checkbox"/> Extension of time Request	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> PTO/SB/08A
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	<input type="checkbox"/> PCT Search Report
<input type="checkbox"/> Certified Copy of Priority Documents	<input type="checkbox"/> CD, Number of CDs	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks	
<input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53		

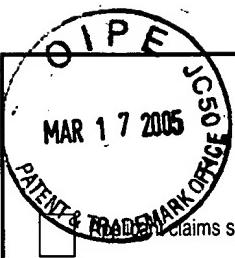
**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual	Roland K. Bowler-II	Registration No.	33,477
Signature			
Date			

**CERTIFICATE OF TRANSMITTAL/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO to facsimile number \_\_\_\_\_ or deposited with the United States Postal Service with sufficient postage as Express Mail No. EV418001501US in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date listed below:

Typed or printed name	Jennifer Magness		
Signature			Date 3/17/05



## FEE TRANSMITTAL

Patent fees are subject to annual revision  
Small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	(\$ 0.00)
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**Complete if Known**

Application Number	09/972,381
Filing Date	10/05/01
First Named Inventor	Fahey, Jenifer et al.
Examiner Name	
Group Art Unit	2644
Attorney Docket No.	CS90041

**METHOD OF PAYMENT (check all that apply)****FEE CALCULATION (continued)**

Check	Credit card	Money Order	Other	None
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**4. ADDITIONAL FEES** Deposit Account:

Deposit Account Number

502117

Deposit Account Name

Motorola, Inc.

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below       Credit any overpayments
- Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17
- Charge fees(s) indicated below, except for the filing fee to the above-identified deposit account.

Fee	Fee	Fee	Fee	Fee Description
Code	(\$)	Code	(\$)	
1051	130	2051	65	SurchARGE - late filing fee or oath
1052	50	2052	25	SURCHARGE - late Provisional filing
1053	130	1053	130	Non-English specification
1812	2520	1812	2520	For filing a request for ex parte Reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1840*	1805	1840*	Requesting publication of SIR after Examiner action
1251	120	2251	60	Extension for reply within first month
1252	450	2252	225	Extension for reply within second month
1253	1020	2253	510	Extension for reply within third month
1254	1590	2254	795	Extension for reply within fourth month
1255	2160	2255	1080	Extension for reply within fifth month
1401	500	2401	250	Notice of Appeal
1402	500	2402	250	Filing a brief in support of an appeal
1403	1000	2403	500	Request for oral hearing
1451	1510	1451	1510	Petition to institute a public use proceeding
1452	500	2452	250	Petition to revive - unavoidable
1453	1500	2453	750	Petition to revive - unintentional
1501	1400	2501	700	Utility issue fee (or reissue)
1502	800	2502	400	Design issue fee
1503	1100	2503	550	Plant issue fee
1460	130	1460	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
1806	180	1806	180	Submission of IDS
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))
1801	790	2801	395	Request for Continued Examination
1802	900	1802	900	Request for expedited examination of a design application

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES	
	Large Fee (\$)	Small Entity Fee (\$)	Large Fee (\$)	Small Entity Fee (\$)	Large Fee (\$)	Small Entity Fee (\$)
Utility	300	150	500	250	200	100
Design	200	100	100	50	130	65
Plant	200	100	300	150	160	80
Reissue	300	150	500	250	600	300
Provisional	200	100	0	0	0	0

**2. EXTRA CLAIM FEES**

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

Fees (\$)

Small Entity Fees (\$)

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

Fees (\$)

Fee Paid (\$)

Multiple Dependent Claims

Fees (\$)

Fee Paid (\$)

Total Claims

Extra Claims

Fee (\$)

Fee Paid (\$)

- 20 or HP =  X 50 = 

Fee (\$)

Fee Paid (\$)

HP = highest number of total claims paid for, if greater than 3

Fee (\$)

Fee Paid (\$)

Indep. Claims

Extra Claims

Fee (\$)

Fee Paid (\$)

- 3 or HP =  x 200 = 

Fee (\$)

Fee Paid (\$)

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee is \$250 (\$125 for small entity)

For each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets

Extra Sheets

Number of each additional 50 or fraction thereof

Fee (\$)

X 250 =

Fee (\$)

Fee Paid (\$)

- 100 =  /50 = (round up to a whole number)**SUBMITTED BY**

Name (Print/Type) Roland K. Bowler

Signature

**5. OTHER FEE(S) (specify)**

Non-English Specification, \$130 fee (no small entity discount)

Fee Paid (\$)

Registration No.	33,477	Telephone
Date	3-17-05	



DOCKET NO.: CS90041

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Fahey, Jenifer et al. Group Art Unit: 2644  
Application No.: 09/972,381 Examiner:  
Date Filed: 10/05/01  
Title: Mobile Wireless Communication Handset with Sound Mixer and Methods Therefor

## INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner For Patents  
Alexandria, VA 22313

SIR:

In accordance with 37 C.F.R. §1.56 and in compliance with 37 C.F.R. §§1.97 and 1.98, the references listed on attached Form PTO/SB/08 and/or subsequently identified herein, are for consideration by the United States Patent and Trademark Office. Pursuant to the Office waiving the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC §371 after June 30, 2003, copies of the reference are not submitted herewith.

I.  THIS IDS IS BEING FILED UNDER 37 C.F.R. §1.97(b)-(d): (check only one box)

- a.  within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d); within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; before the mailing date of a first Office Action on the merits; and/or before the mailing date of a first Office Action after the filing of a request for continued examination under § 1.114. No fee or statement is required.
- b.  before the mailing date of any of a Final Office Action under 37 C.F.R. §1.113, a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application. Petition fee set forth in §1.17(p) is required unless a statement under 37 C.F.R. §1.97(e) is provided.
- c.  on or before payment of the issue fee. Petition fee set forth in §1.17(p) and a statement under 37 C.F.R. §1.97(e) are required.

II.  STATEMENT UNDER 37 C.F.R. §1.97(e) (check only one box, if applicable)

The undersigned hereby states that

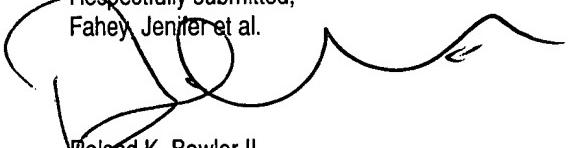
- a.  each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of IDS; or
- b.  no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and to knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the IDS was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement, or
- c.  some of the items of information contained in the IDS were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the IDS was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement.

**III. PAYMENT OF FEES**

- A check in the amount of \_\_\_\_\_ is enclosed for the above-identified fee(s).
- Please charge Deposit Account **502117** in the amount of \$\_\_\_\_\_ for the above-indicated fee(s).
- If Applicant has overlooked any additional fees, or if any overpayment has been made, the Commissioner is hereby authorized to credit or debit Deposit Account **502117**.
- Two Copies of this paper are attached for Deposit Account charges and debits.

The above references are being cited only in the interests of candor and without any admission that they constitute statutory prior art or contain matter which anticipates the invention or which would render the same obvious, either singly or in a combination, to a person of ordinary skill in the art.

Respectfully submitted,  
Fahey Jenifer et al.

  
Roland K. Bowler II  
Attorney for Applicant(s)  
Reg. No. 33,477  
Tel. 847-523-3978

MOTOROLA, INC.  
Customer Number 20280

- Enclosures:
- Information Disclosure Statement by Applicant
  - References
  - Foreign Search Report
  - Other:



MAR 17 2005

DOCKET NO.: CS90041

PTO/SB/08A (04-03)

Substitute for form 1449A/PTO		<i>Complete if Known</i>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		Application Number	09/972,381
		Filing Date	10/05/01
		First Named Inventor	Fahey, Jenifer et al.
		Group Art Unit	2644
		Examiner Name	
(use as many sheets as necessary)		Attorney Docket Number	
Sheet	1	of	1
		CS90041	

## **U. S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation, if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.